

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES of AMERICA
ex rel. ELIZABETH H. HUDSON,

Plaintiff-Relator,

v.

**MAIN BUILDING MAINTENANCE,
INC.; JXM, INC.; ROBERT A. XIMENES;
ELVIRA H. XIMENES; and MARGAUX
I. XIMENES,**

Defendants

Civil Action No.:
5-16-CV-00523-JKP-RBF

**JOINT STATUS REPORT AND MOTION TO EXTEND ABATEMENT PENDING
MEDIATION**

Relator Elizabeth H. Hudson (“Relator”) and Defendants Main Building Maintenance, Inc., JXM, Inc., Robert A. Ximenes, Elvira H. Ximenes, and Margaux I. Ximenes (collectively, “Defendants”) hereby jointly file this status report and request to extend the abatement of deadlines pending mediation through July 18, 2022. In support of their motion, the parties respectfully state:

1. On April 11, 2022, this Court issued an Order abating pending deadlines in light of the parties’ agreement to seek mediation. The parties were not able to secure an in-person mediation until June 16, 2022, however, and so the parties sought an extension of the abatement granted by this Court.

2. On May 20, 2022, this Court issued a new order, extending the abatement of deadlines and requiring the parties to file a joint motion within 10 days of June 16, 2022.
3. Although the June 16, 2022 mediation did not result in resolution of this matter, discussions continued with the parties' mediator, John DeGroote. At Mr. DeGroote's suggestion that follow-up discussions could prove fruitful, the parties agreed to request additional time from this Court for negotiation. On June 27, 2022 the parties submitted a Joint Status Report and Motion to Extend Abatement Pending Mediation, requesting that the abatement be continued through July 11, 2022.
4. The parties' discussions are ongoing and have made some progress, and again Mr. DeGroote has expressed the opinion that a short period of follow-up discussions may prove fruitful. The parties have agreed to request an additional week from this Court to continue those discussions. The parties believe that incurring additional litigation expenses while discussions are actively underway would hamper the parties' ability to reach a resolution.
5. The parties respectfully request that this Court's orders of April 11, 2022 and May 20, 2022 be amended to require a joint motion from the parties on or before July 18, 2022, by entering the attached Agreed Order of Further Abatement Pending Mediation.

Dated: July 11, 2022

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and Robert A. Ximenes***

CERTIFICATE OF SERVICE

I hereby certify that, on July 11, 2022, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system and all counsel of record will receive an electronic copy via the Court's CM/ECF system.

Dated: July 11, 2022

/s/ Michael Tabb
Michael Tabb